

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

FILED

97 SEP -5 AM 8:28

U.S. DISTRICT COURT
N.D. OF ALABAMA

TIMOTHY MELVIN O'NEAL,

Petitioner,

vs

WARDEN JOHN NAGLE, et al,

Respondent(s).

CIVIL ACTION NO. 96-H-2439-M

jm

ENTERED

MEMORANDUM OF OPINION

SEP - 5 1997

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be dismissed. An appropriate order will be entered.

DONE, this 5th day of September, 1997.

James H. Hancock

JAMES H. HANCOCK,
SENIOR JUDGE